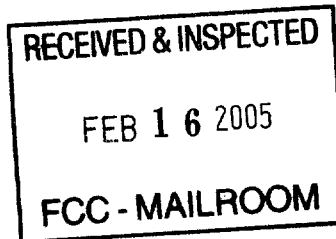


February 14, 2005



**ThomasCommunications**  
& Technologies LLC

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Office of the Secretary  
9300 East Hampton Dr.  
Capitol Heights, MD 20743

**DOCKET FILE COPY ORIGINAL**

Re: Application for Review  
CC Docket No. 02-6  
DA 04-3899  
File No. SLD-386049  
Paramus School District Billed Entity #122941 Applications #386049 All FRNs

Dear Sir or Madam:

During the application process for E-rate Funding Year 2003, Thomas Communications & Technologies, LLC (TC&T) submitted application #386049 on behalf of Paramus School District. In a Funding Year 2003 Form 471 Rejection Letter dated February 18, 2003 the Schools & Libraries Division (SLD) rejected the entire application stating, "The FCC Form 471 submitted does not include at least one complete Block 4 Worksheet." This letter is an appeal of the FCC decision File No. SLD-386049/DA 04-3899 dated 12/15/2004. Please note that since the 60-day deadline for postmarking an Application for Review fell on the weekend, this letter has been postmarked on the following Monday per FCC guidelines.

Understandably there are minimum processing standards in place to assist in the processing of thousands of Form 471s. However when these standards cause an application to be rejected due to a rule that is subjective, these standards need to be reviewed. The minimum processing standards for Block 4 state the following:

At least one completed Block 4 Worksheet relevant to your application type must be submitted. If a relevant Block 4 Worksheet is not submitted, or the Worksheet is missing information, the form will be rejected.

The phrases "completed Block 4 Worksheet" and "missing information" are open to interpretation. The minimum processing standards do not state that every cell must have a value in it in order for the Block 4 to be complete. However it is stated that the purpose of the Block 4 is to calculate the discount for the entities on the application.

TC&T would like to take this opportunity to reassert that a complete Block 4 was submitted with the FCC Form 471. The school district consists of eight schools. One of the schools, Parkway Elementary School does not have any students eligible for free or reduced lunch. As a result there are no figures for columns 5 (# of students eligible for NSLP) or 6 (% of students eligible for NSLP) of the Block 4 for this school. The minimum discount percentage from the Discount Matrix was filled in for Column 7 (Discount % from Discount Matrix) and both Column 8

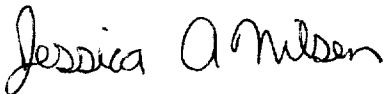
(Weighted Product for Calculating Shared Discount) and Item 10c (Weighted Average Discount % for Shared Services) were calculated. Since there was a discount for each school as well as for the district, the purpose of this Block 4 has been met and therefore a "completed Block 4 Worksheet" was submitted.

Every entity is eligible for a 20% discount regardless of the number of students eligible for the NSLP. If the SLD uses the phrase "missing information" in the minimum processing standards to reject applications with blank cells in columns 5 and 6, we believe that this interpretation should be revised. Arguably, if there is no data to enter into column 5 (as in this particular case), there is no information missing. Furthermore, in keeping with the spirit of the program, any entity that does not list a figure in column 5 (# of students eligible for NSLP) should automatically receive a discount of 20% as this discount is available to all entities.

TC&T respects the guidelines of the E-rate program, and we do not intend to defraud the E-rate program in any way. TC&T steadfastly maintains that the Block 4 submitted fulfills the purpose of the Block 4 and that it is complete. Given the purpose of this program, we request that any debate over the interpretation of the minimum processing standards be resolved in favor of the applicant. Please return Paramus School District Application #386049 to the SLD for further review.

Sincerely,

**THOMAS COMMUNICATIONS & TECHNOLOGIES, LLC**



Jessica A. Nilsen  
E-rate Production Manager